

REMARKS

Claims 43-84 are pending in the application.

Independent claims 43, 58, 68, 69, and 84 are currently. Applicants respectfully submit that no new matter is added to currently amended claims 43, 58, 68, 69, and 84.

Applicant respectfully submits that entry of the currently amended claims is proper because the currently amended claims will either place the application in condition for allowance or in better form for appeal.

Claims 43-44, 56-58, 62, 68-70, 78, 82, and 84 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 7,219,072 to Sundaresan et al., hereinafter, Sundaresan.

Claims 45-48, 50-51, 70-74, and 76-77 stand rejected under 35 U.S.C. §103(a) as unpatentable over Sundaresan, in view of U.S. Patent No. 6,334,127 to Bieganski et al., hereinafter, Bieganski.

Claims 52-55, 57, 59-63, 67, 79-81, and 83 stand rejected under 35 U.S.C. §103(a) as unpatentable over Sundaresan, in view of U.S. Patent No. 6,604,085 to Kolls et al., hereinafter, Kolls.

Claims 64-66 stand rejected under 35 U.S.C. §103(a) as unpatentable over Sundaresan, in view of Kolls, and further in view of U.S. Patent No. 6,298,348 to Eldering, hereinafter, Eldering.

Applicants respectfully traverse the rejections based on the following discussion.

I. The Prior Art Rejections

A. The 35 U.S.C. 103(a) Rejection over Sundaresan

1. The Sundaresan Disclosure

Sundaresan discloses a method comprising monitoring the browsing pattern of at least one of the first or second users, identifying at least two users of a common browsing pattern and informing the at least two users of the common browsing pattern. The method can further comprise providing the first user with capability to inform the network site of subject matter interest to the user. The second user can then be selected based on characteristics the second

user shares with the first user, and optionally, notified of the characteristics shared with the first user. The characteristics can include, for example, the subject matter of interest to the user. In one embodiment of the method, the capability to inform, the network site of interest in co-browsing comprises capability to inform the network site of conditions required for co-browsing. (col. 2, lines 1-15, cited by the Office Action).

Sundaresan also discloses an apparatus for providing co-browsing by users shopping over a network in accordance with the invention can comprise an electronic commerce server connected to the network for offering items for sale, and a co-browsing facility provided by the electronic commerce server. The co-browsing facility allows a first user that is browsing the items for sale to conditionally know whether a second user is also browsing the items for sale and then provides a communication medium for a conversation between the first and second users via the electronic commerce server while the first and second users continue to browse the items for sale. (col. 2, lines 16-27, cited by the Office Action).

Sundaresan further discloses that a first and second shopper can be identified as potential co-browsers and invited to participate in a chat session under a variety of permutations. The first shopper could have requested co-browsing and the second shopper could have been targeted for co-browsing on the basis of the second shopper's or other characteristics. Both the first and second shoppers could have initiated co-browsing by request. Both the first and second shoppers were targeted as having common browsing interests and both invited to participate in a chat session. Likewise, additional shoppers could be brought into a chat session, whether by request of the shopper or by invitation from the e-store. Shoppers may be notified if other shoppers with whom they have previously co-browsed are currently available for co-browsing. This notification can be initiated by either the e-commerce server drawing on stored information, or by a shopper. Shoppers notifying the e-commerce server of their interests or conditions for co-browsing can be provided with an opportunity to indicate other shoppers with whom they have previously co-browsed and to identify those shoppers with whom they would prefer to co-browse again and/or those with whom they do not wish to co-browse again. (col. 5, lines 28-51, cited by the Office Action).

2. Arguments

Currently amended, independent claims 43, 58, and 84 recite in relevant part,

"... said group shopping comprising multiple individuals making at least one group purchase;

...

determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Similarly, currently amended, independent claims 68 and 69 recite in relevant part,

"a memory configured to collect and store data ... said group shopping comprising multiple individuals making at least one group purchase;

a processor configured to:

...

determine targeting information based on of said shopper group interaction measure, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Sundaresan merely discloses a method and apparatus for co-browsing among shoppers. The individual shoppers may control with whom they co-browse and the system may target potential co-browsers.

In contrast, the present invention clearly describes shoppers who have made at least one group purchase. The present invention further clearly describes that a shopper group interaction measure is obtained from individual shopper data and the group shopper data, i.e., based on group purchases.

Nowhere does Sundaresan disclose, teach or suggest that his co-browsers make a group purchase; whereas, the present invention makes use of individual versus group shopping behaviors to target shoppers. Co-browsing is not group purchasing; nor does co-browsing offer an individual shopper-group shopper interaction measure.

Furthermore, nowhere does Sundaresan disclose, teach or suggest, those interaction which comprise group shopping behaviors, i.e., a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase.

For at least the reasons outlined above, Applicants respectfully submit that Sundaresan does not disclose, teach or suggest at least the present invention's features of: "... said group shopping comprising multiple individuals making at least one group purchase; ... determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping, wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase", as recited in currently amended, independent claims 43, 58, and 84; and "a memory configured to collect and store data ... said group shopping comprising multiple individuals making at least one group purchase; processor configured to: ... determine targeting information based on of said shopper group interaction measure, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase", as recited in currently amended, independent claims 68 and 69. Accordingly, Sundaresan fails to render obvious the subject matter of currently amended, independent claims 43, 58, 68, 69, and 84; and dependent claims 44, 56, 62, 70, 78, and 82 and under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 43, 44, 56, 58, 62, 68, 69, 70, 78, 82, and 84 under 35 U.S.C. §103(a) as unpatentable over Sundaresan is respectfully solicited.

B. The 35 U.S.C. 103(a) Rejection over Sundaresan and Bieganski

1. The Bieganski Disclosure

Bieganski discloses a method and system for generating a serendipity-weighted recommendation output set to a user based, at least in part, on a serendipity function. The system includes a processing system to receive user item preference data and community item popularity data. The processing system is also configured to produce an item recommendation set from the user item preference data, produce a set of item serendipity control values in response to the serendipity function and the community item popularity data, and combine the item recommendation set with the set of item serendipity control values to produce a serendipity-weighted and filtered recommendation output set. The method includes receiving item preference data and community item popularity data. The method further includes producing an item recommendation set from the user item preference data, using the processing system, and generating a set of item serendipity control values in response to the community item popularity data and a serendipity function, also using the processing system. The method also includes combining the item recommendation set and the set of item serendipity control values to produce a serendipity-weighted and filtered item recommendation output set, using the processing system. (Abstract).

2. Arguments

Currently amended, independent claim 43 recites in relevant part,

"... said group shopping comprising multiple individuals making at least one group purchase;

...

determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Similarly, currently amended, independent claim 69 recites in relevant part,

"a memory configured to collect and store data ... said group shopping comprising multiple individuals making at least one group purchase;

a processor configured to:

...

determine targeting information based on of said shopper group interaction measure, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Bieganski discloses a system and method for generating a serendipity-weighted recommendation output set based on inputted user item preference data and community item

popularity data. Bieganski also discloses that there are many different methods to form affinity groups (col. 6, line 37).

In contrast, the present invention clearly describes shoppers who have made at least one group purchase. The present invention further clearly describes that a shopper group interaction measure is obtained from individual shopper data and the group shopper data, i.e., based on group purchases.

Nowhere does Bieganski disclose, teach or suggest that his affinity groups make a group purchase; whereas, the present invention makes use of individual versus group shopping behaviors to target shoppers. The collaborative filtering, i.e., "serendipity" functions, of Bieganski do not result in a group purchase; nor do the "serendipity" functions offer an individual shopper-group shopper interaction measure.

Furthermore, nowhere does Bieganski disclose, teach or suggest, those interaction which comprise group shopping behaviors, i.e., a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase.

Instead, Bieganski discloses a system and method for generating a serendipity-weighted recommendation output set based on inputted user item preference data and community item popularity data.

In addition, Bieganski does not cure the deficiencies of Sundaresan argued above.

For at least the reasons outlined above with regard to Sundaresan, and for at least the reasons outlined immediately above with regard to Bieganski, Applicants respectfully submit that Sundaresan and Bieganski, either individually or in combination, do not disclose, teach or suggest at least the present invention's features of: "... said group shopping comprising multiple individuals making at least one group purchase; ... determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping, wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying

for the shopping group's purchase", as recited in currently amended, independent claim 43; and "a memory configured to collect and store data ... said group shopping comprising multiple individuals making at least one group purchase; processor configured to: ... determine targeting information based on of said shopper group interaction measure, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping, wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase", as recited in currently amended, independent claim 69. Accordingly, Sundaresan and Biekanski, either individually or in combination, fail to render obvious the subject matter of currently amended, independent claims 43 and 69; and dependent claims 45-48, 50-51, 70-74, and 76-77 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 45-48, 50-51, 70-74, and 76-77 under 35 U.S.C. §103(a) as unpatentable over Sundaresan and Biekanski is respectfully solicited.

C. The 35 U.S.C. 103(a) Rejection over Sundaresan and Kolls

1. The Kolls Disclosure

Kolls discloses a universal advertising and payment system for networking, monitoring and controlling electronic commerce and vending equipment. The system can effectuate electronic commerce and interactive advertising at the point of sale. (Abstract, lines 1-5).

Kolls also discloses that in addition to the processing disclosed in transaction routine 900, the DII [dynamic identification interchange] can select advertising and other marketing advertisements from a database (remote database or local database). The selection of marketing advertisements can be random or in accordance with a customer profile (individuals or by group type). Customer profile parameters can be accessible by the universal server and/or by way of DII process steps. An individual customer profile is a profile for an individual person. A group profile is a profile that is specific to a group (i.e., a particular hotel brand or retail brand). (col. 32, lines 21-32, which are cited by the (Office Action).

2. Arguments

Currently amended, independent claims 43 and 58 recite in relevant part,

"... said group shopping comprising multiple individuals making at least one group purchase;

...

determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Similarly, currently amended, independent claim 69 recites in relevant part,

"a memory configured to collect and store data ... said group shopping comprising multiple individuals making at least one group purchase;

a processor configured to:

...

determine targeting information based on of said shopper group interaction measure, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Kolls merely discloses a universal advertising system in which the selection of marketing advertisements can be random or in accordance with a customer profile (individuals or by group type).

In contrast, the present invention clearly describes shoppers who have made at least one group purchase. The present invention further clearly describes that a shopper group interaction measure is obtained from individual shopper data and the group shopper data, i.e., based on group purchases.

Nowhere does Kolls disclose, teach or suggest collecting data from individual shoppers who have also made a group purchase; whereas, the present invention makes use of individual versus group shopping behaviors to target shoppers. Nowhere does Kolls disclose, teach or suggest determining a shopper-group interaction measure from individual shopper data and group shopper data.

Furthermore, nowhere does Kolls disclose, teach or suggest, those interaction which comprise group shopping behaviors, i.e., a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase.

Instead, Kolls merely discloses a universal advertising system in which the selection of marketing advertisements can be random or in accordance with a customer profile (individuals or by group type).

In addition, Kolls does not cure the deficiencies of Sundaresan argued above.

For at least the reasons outlined above with regard to Sundaresan, and for at least the reasons outlined immediately above with regard to Kolls, Applicants respectfully submit that Sundaresan and Kolls, either individually or in combination, do not disclose, teach or suggest at least the present invention's features of: "... said group shopping comprising multiple individuals making at least one group purchase; ... determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping, wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the

shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase", as recited in currently amended, independent claims 43 and 58; and "a memory configured to collect and store data ... said group shopping comprising multiple individuals making at least one group purchase; processor configured to: ... determine targeting information based on of said shopper group interaction measure, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping, wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase", as recited in currently amended, independent claim 69. Accordingly, Sundaresan and Kolls, either individually or in combination, fail to render obvious the subject matter of currently amended, independent claims 43, 58, and 69; and dependent claims 52-55, 57, 59-63, 67, 79-81, and 83 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 52-55, 57, 59-63, 67, 79-81, and 83 under 35 U.S.C. §103(a) as unpatentable over Sundaresan and Kolls is respectfully solicited.

D. The 35 U.S.C. 103(a) Rejection over Sundaresan, Kolls, and Eldering

1. The Eldering Disclosure

Eldering discloses a system that supports the receipt of consumer purchase information with which consumer characterization vectors are updated based on product characterization information. The consumer characterization vectors include a consumer demographic vector which provides a probabilistic measure of the demographics of the consumer, and a product preference vector which describes which products the consumer has typically purchased in the past, and therefore is likely to purchase in the future. (col. 2, lines 32-41, which are cited by the Office Action).

Eldering also discloses in Fig. 2A an example of a probabilistic demographic characterization vector. The demographic characterization vector is a representation of the probability that a consumer falls within a certain demographic category such as age group,

gender, household size, or income range. (col. 6, lines 55-59, which are cited by the Office Action).

2. Arguments

Currently amended, independent claim 58 recites in relevant part,

"... said group shopping comprising multiple individuals making at least one group purchase;

...

determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping,

wherein said previous interactions comprise any of:

a shopper making a proposal to the shopping group;

a shopper voting on a proposal;

a shopper paying for the shopper's individual share of the shopping group's purchase; and

a shopper paying for the shopping group's purchase".

Eldering merely discloses a system that supports the receipt of consumer purchase information with which consumer characterization vectors, i.e., representations of the probability that a consumer falls within a certain demographic category such as age group, gender, household size, or income range, are updated based on product characterization information.

In contrast, the present invention clearly describes shoppers who have made at least one group purchase. The present invention further clearly describes that a shopper group interaction measure is obtained from individual shopper data and the group shopper data, i.e., based on group purchases.

Nowhere does Eldering disclose, teach or suggest collecting data from individual shoppers who have also made a group purchase; whereas, the present invention makes use of individual versus group shopping behaviors to target shoppers. Nowhere does Eldering disclose,

teach or suggest determining a shopper-group interaction measure from individual shopper data and group shopper data.

Furthermore, nowhere does Kolls disclose, teach or suggest, those interaction which comprise group shopping behaviors, i.e., a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase.

Instead, Eldering merely discloses a system that supports the receipt of consumer purchase information with which consumer characterization vectors, i.e., representations of the probability that a consumer falls within a certain demographic category such as age group, gender, household size, or income range, are updated based on product characterization information.

In addition, Eldering does not cure the deficiencies of Sundaresan and Kolls argued above.

For at least the reasons outlined above with regard to Sundaresan and Kolls, and for at least the reasons outlined immediately above with regard to Eldering, Applicants respectfully submit that Sundaresan, Kolls and Eldering, either individually or in combination, do not disclose, teach or suggest at least the present invention's features of: "... said group shopping comprising multiple individuals making at least one group purchase; ... determining a shopper-group interaction measure from individual shopper data and group shopper data, said group shopper data comprising a record of previous interactions between individuals within a shopping group of individuals performing said group shopping, wherein said previous interactions comprise any of: a shopper making a proposal to the shopping group; a shopper voting on a proposal; a shopper paying for the shopper's individual share of the shopping group's purchase; and a shopper paying for the shopping group's purchase", as recited in currently amended, independent claim 58. Accordingly, Sundaresan, Kolls and Eldering, either individually or in combination, fail to render obvious the subject matter of currently amended, independent claim 58; and dependent claims 64-66 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 64-66 under 35 U.S.C. §103(a) as unpatentable over Sundaresan, Kolls and Eldering is respectfully solicited.

II. Formal Matters and Conclusion

Claims 43-84 are pending in the application.

Applicant respectfully submits that entry of currently amended claims 43, 58, 68, 69, and 84 is proper because the currently amended claims will either place the application in condition for allowance or in better form for appeal.

With respect to the rejections of the claims over the prior art, Applicants respectfully submit that currently amended claims 43, 58, 68, 69, and 84 are distinguishable over the cited prior art of record. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections to the claims.

In view of the foregoing, Applicants submit that claims 43-84, all the claims presently pending in the application, are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest time possible.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

Dated: October 7, 2008

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